

REMARKS

The current amendment submitted herein is filed with a Request for Continued Examination under 37 CFR 1.114 in response to the final Office action mailed October 20, 2003. Currently pending claims include claims 1-19 and 22-31.

Claim 5 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The Examiner, treating the claim with respect to the specification, stated that claim 5 contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make the invention. The patent laws state that the subject matter disclosed in a patent application also includes subject matter disclosed in the claims. The specification, on page 10, lines 25-31 discloses each module having a unique ID as an identifier. Claim 5 claims the electronic gaming unit having a unique identifier, wherein said unique identifier is an IP address. The specification was amended on page 10, lines 25-31, to include the disclosure of using an IP address for the unique ID address. No new matter is added with this amendment. Claim 5 now complies with the enablement requirement of 35 U.S.C. 112, first paragraph.

Claims 1, 3-18 and 22-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bealkowski et al. (US Patent No. 5,355,489) in view of Wiltshire et al. (US Patent No. 6,409,602). The Examiner stated that Bealkowski discloses a computer having a processor module removably connected to the computer with a main processor for controlling operation of the computer. The Examiner stated Bealkowski does not disclose a computer being used for playing games, however Wiltshire does and it, assertedly, would have been obvious to one of ordinary skill in the art to combine these references to achieve the invention.

Claim 1 is hereby amended to more particularly point out and distinctly claim the invention by claiming a dumb remote electronic gaming unit. The remote electronic gaming unit communicates with a master station to form an electronic gaming system as described throughout the specification, such as on page 6, lines 1-7. Further, independent claims 1, and 12 claim a dumb remote gaming unit and claim 22 recites dumb hand-held units spaced away from the master unit. The dumb remote gaming unit/hand-held gaming unit have a removable processor module with a main processor for running a game play program during game play. The invention, as claimed, enables modifications and upgrades of the processors and/or gaming programs to be made by replacing the plug-in processor modules in each remote gaming unit.

Wiltshire teaches an electronic gaming system having a master station 110 connected to remote client terminals 120. Wiltshire teaches that the gaming programs are executed entirely on the master station 110 and modifications and upgrades of the computer gaming programs are performed on the master station 110 as stated in column 2, lines 45-65. Wiltshire teaches away from the invention as disclosed throughout the specification and claimed in independent claims 1, 12, and 22 and, therefore, Wiltshire cannot be used in combination with the Bealkowski reference to form a prima facie 35 U.S.C. 103(a) rejection of these claims.

Furthermore, the combination of Wiltshire with the Bealkowski reference does not teach or suggest the use of a remote gaming unit or a hand-held gaming unit having a removable processor module as claimed in independent claims 1, 12, and 22. Therefore, the combination of Wiltshire with the Bealkowski reference does not form a prima facie 35 U.S.C. 103(a) obviousness rejection of these claims.

Claims 1-19 and 22-31 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al. (US Pub No 2002/0022499) in view of Wiltshire. The Examiner stated Newman discloses a dumb remote electronic gaming unit. However, this incorrect. Newman teaches a personal communicator, such as a cellular phone, and does not teach or suggest a dumb remote electronic gaming unit as claimed in independent claims 1, and 12, and Newman does not teach or suggest a dumb hand-held unit in an electronic gaming system as claimed in independent claim 22.

The combination of Wiltshire with the Newman reference does not teach or suggest the use of a remote gaming unit or a hand-held gaming unit having a removable processor module as claimed in independent claims 1, 12, and 22. Therefore, the combination of Wiltshire with the Newman reference does not form a prima facie 35 U.S.C. 103(a) obviousness rejection of these claims.

Furthermore, as stated above, Wiltshire teaches away from the invention as disclosed throughout the specification and claimed in independent claims 1, 12, and 22 and, therefore, Wiltshire cannot be used in combination with the Newman reference to form a prima facie 35 U.S.C. 103(a) rejection of these claims.

For these reasons, independent claims 1, 12 and 22 are patentable. Dependent claims 2-11, 13-19, and 23-31 depend from respective patentable independent claims 1, 12 and 22 and are therefore also patentable.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-19 and 22-31) are now in condition for allowance. Accordingly, prompt and favorable examination of all the pending claims is respectfully requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Jay F. Moldovanyi, at (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP


Jay F. Moldovanyi
 Jay F. Moldovanyi
 Reg. No. 29,678
 1100 Superior Avenue, 7th Floor
 Cleveland, Ohio 44114-2579
 (216) 861-5582

Certificate of Mailing

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

- deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
- deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AMENDMENT FEE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
EL 998017121 US
Date
February 20, 2004

Signature

Printed Name
Roseanne Giuliani